COUNTY BOARD OF APPEALS

CASE NO. 89-7-SPHA \* \* \* \* \* \* \* \* \* \* \*

BALTIMORE COUNTY

OBINION

This case comes before the Board as an appeal from the decision of the Deputy Zoning Commissioner dated November 15, 1988, denying Fetitioners' request for a special hearing to permit shared use of a daycare facility and a variance to permit 18 in lieu of the required 55 parking spaces. The subject property is located in the White Marsh area and is situated at 8650 Winding Way in the Eleventh Election District of Baltimore County. The case was heard this day in its entirety.

Testimony presented by the Appellant indicated that the subject property of 5.5 acres, designated D.R.5.5 is the site of a private residence and a twobuilding child care center as well as 3.5 acres  $\pm$  of wooded buffer. It is located at the end of Winding Way, a two-lane County road. Mr. John Schneider, the registered professional engineer who prepared a site plan when the second child care building was proposed, testified that the site included a private loop road for dropping off and picking up children and ample parking spaces for the center's employees. Mr. Schneider was of the opinion that the proposed shared use of the facility would not be detrimental to the health, safety or general welfare of the surrounding community as defined in Baltimore County Zoning Regulations.

Elizabeth Huffman, co-owner of the subject site, testified that she and her husband purchased the property in 1976. The child care facility was opened in 1985; rapid growth in the White Marsh area created increasing business for the

Richard O. Huffman, Jr., et ux Case No. 98-7-SPHA

facility and a second child care building was completed in 1987. The buildings, are adjoining, air-conditioned, two-story units equipped with automatic sprinkler systems and serviced by all County utilities. Mrs. Huffman further testified that she was approached in 1987 by Pastor Johnnie Brewer of the New Life Baptist Church about sharing the child care facility with his congregation. Subsequently, the Huffmans and the church entered into a rental agreement which allowed the congregation use of the child care facility on Wednesday evenings from 7:00 p.m. to 9:00 p.m. and on Sundays from 9:00 a.m. to noon and from 6:00 p.m. to 8:00

Mrs. Huffman's testimony indicated that since October, 1987, the church has never exceeded the site's capacity of 18 parking spaces. Having anticipated such contingencies, Mrs. Huffman sought and received written permission from American Legion Post 30, located at 8666 Silver Lake Drive, for church members to use the Legion Post's parking lot if overflow parking spaces were ever needed. Petitioners presented a signed and notarized letter to that effect addressed to Mrs. Huffman by the Post Commander. Mrs. Huffman further testified that the congregation's use of the facility, including outdoor play equipment, had not prompted any complaints from neighbors.

Pastor Johnnie Brewer of the New Life Baptist Church testified on behalf of the Petitioner. Pastor Brewer presented as evidence a record of church attendance at various services. He testified that his congregants arrive at the facility in passenger cars or vans, usually four or five people per vehicle. Pastor Brewer also testified that a contingency plan including use of vans as shuttle vehicles had been developed in the event that parking at the American Legion site should become necessary. his congregation uses small and large rooms of the child care facility as well as outside play equipment in fair

Richard O. Huffman, Jr., et ux Case No. 89-7-SPHA

weather. Pastor Brewer further indicated that he was not aware of any complaints or traffic problems resulting from his congregation's use of the site. Paster Brewer concluded his testimony by stating that a number of congregations in the expanding White Marsh area are sharing facilities and that his congregation plans to move to its own facility before the child care site's capacity of 160 persons is reached.

People's Counsel presented Pat Keller, Deputy Planning Director for Baltimore County. Mr. Keller testified that he had studied the County's records of this site and has visited it in person. His concern is for the intensified use of six days and two nights each week as inappropriate for the neighborhood. Mr. Keller also pointed out that the sharing of the facility increased use of a "small, small road" (Winding Way) as the only access to the site. He further testified that the shared use facility, if proposed as an entirely new entity, would require extension of Winding Way to a full County right-of-way.

Appellant then argued that People's Counsel had failed to prove adverse impact to the neighborhood resulting from the shared use at 8650 Winding Way. Both entities exist in the D.R.5.5 zoned area by right.

People's Counsel argued that the shared use adds to the already stressed nature of the site created by the large child care facility. People's Counsel described the shared use as "unusual" and not appropriate.

In reviewing testimony and exhibits in this matter, the Board finds that the shared use of this site, while unusual, is not detrimental to the neighborhood. The large wooded buffer and sparse development of the adjoining area are factors in this opinion as are the restricted hours of operation and small congregation of the New Life Baptist Church. Both the child care facility and the church can exist by right in a D.R.5.5 zone. All County regulations and requirements have

Fichard C. Huffman, Cr., et ux Case No. Allegetta

teen met by the Huffmans in both their original and expanded site development. Lacking evidence of traffic problems created by the shared use and without testimony of neighboring residents indicating other problems, the board finite the shared use appropriate and the existing parking spaces adequate for the woed.

The Board also makes note of New Life Paptist Church congregation's plane to develop its own facility in the near future and of shared use facilities operating successfully in this and other Districts of the County.

It is therefore this \_\_Tth\_\_day of \_\_September \_\_\_\_, 1989 by the County Board of Appeals of Baltimore County CRDERED that the Petition for Special Hearing requesting shared use of a daycare facility is GRANTED and the Petition for Variance to permit 18 parking spaces in lieu of the required 55 is also

Any appeal from this decision must be made in accordance with Rules  $B\!=\!1$ through B-13 of the Maryland Rules of Procedure.

> COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Million T Hacket William T. Hackett, Chairman

IN RE: PETITION FOR SPECIAL HEARING \* BEFORE THE AND VARIANCE - NE/S Winding Way 1195' N of Silver Spring Road \* DEPUTY ZONING COMMISSIONER (8650 Winding Way) 11th Election District \* OF BALTIMORE COUNTY 5th Councilmanic District

\* Case No. 89-7-SPHA Richard O. Huffman, Jr., et ux Petitioners

> \* \* \* \* \* \* \* \* \* \* FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to approve an amendment to the site plan previously approved in Case Nos. 82-289-X and 87-329-SPH to permit a church use to share the nursery school/day care facilities, and to determine if there would be a conflict with the restrictions previously imposed in said Cases; and additionally, a variance to permit 18 parking spaces (existing) in lieu of the required 55 spaces, all as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by Mrs. Elizabeth Huftman, appeared, testified, and were represented by Michael P. Tanczyn, Esquire. Also appearing on behalf of the Petition were Pastor Johnnie Brewer of the New Life Baptist Church, Chester J. Weaver, and Barbara Lewis. Mr. & Mrs. Charles Loizeaux and Sharon Bohlen appeared as Protestants.

Testimony indicated that the subject property, known as 8650 Winding Way, consists of 4.74 acres and is zoned D.R. 5.5. Said property is currently used as the residence of Petitioners as well as a day care center operation which was approved as a result of a special exception granted in Case No. 82-289-X. In that case the subject site was approved on September 21, 1982 for the location of a nursery school and/or day care center for a maximum of 60 students, provided 25% of the students were transported by mini-bus, van or carpools averaging at least 4 students per

vehicle. Thereafter, In Re: Petition for Special Hearing, Case No. 87-329-SPH, Petitioners requested an amendment to the site plan previously approved in Case No. 82-289-X to allow an addition to the existing facility and to amend the restrictions in said Order to permit 110 students in lieu of the maximum permitted 60 students. The relief requested was granted on February 13, 1987. Subsequently, in May, 1988 the Petitioners filed the instant Petition. Testimony indicated that Petitioners have rented a portion of the day care facilities to the New Life Baptist Church. Petitioners believe the proposed church use is compatible and can be used in conjunction with the day care center, which is operated Monday through Friday from 7:00 AM to 6:00 PM, as the hours of use will not overlap.

Pastor Brewer testified the New Life Baptist Church, which consisted of 55 members at the time of the hearing, had outgrown their accommodations and had begun renting the day care facility from Petitioners. Pastor Brewer indicated that the facilities on the subject property were ideal for the church's needs and could accommodate its growing membership. He indicated that any parking problems which might result could be alleviated by renting space from the Overlea VFW Post in the area. He indicated that vans would be used to transport people back and forth from the parking lot to the subject property, approximately 1 mile apart.

Mr. Charles Loizeaux testified that he and his wife own adjoining property at 8611 Winding Way. He testified that while they had no objection to the church, per se, they are opposed to the modification requested in the Petition for Special Hearing as the Protestants do not believe the streets in the area can accommodate the additional traffic which may develop. He indicated that the residential character of the neighborhood has already been disrupted due to the amount of traffic created by the day

care center operation and that the expansion of same by granting the relief requested would be contrary to the relief originally granted and detrimental to the health, safety and general welfare of the community.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily

2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, Petitioners have failed to prove that the criteria set forth in Section 502.1 would not be adversely affected by the modification requested herein. If the relief requested in the Petitions for Special Hearing and Variance are granted, it would be in conflict with the restrictions originally imposed when Petitioners elected to request a special exception for use of the subject property as a day care center. Further, Petitioners have failed to prove the relief requested, if granted, would not be detrimental to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the Petitions for Special Hearing and Variance should be denied.

THEREFORE, IT IS , ORDERED by the Deputy Zoning Commissioner for Baltimore County this Black day of November, 1988 that the Petition for Special Hearing to approve an amendment to the site plan previously approved in Case Nos. 82-289-X and 87-329-SPE to permit a church use to share the nursery school/day care facilities, and to determine if there would be a conflict with the restrictions previously imposed in said Cases; and additionally, the Petition for Variance to permit 18 parking spaces (existing) in lieu of the required 55 spaces, in accordance with Petitioner's Exhibit 1, be and are hereby DENIED.

> In it down in ANN M. NASYAROWICK Deputy Zoning Commissioner

for Baltimore County

AMN:bjs

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Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 **XXXXXX** 887-3353 J. Robert Haines

ning Commissioner

November 15, 1]88

Michael P. Tanczyn, Esquire 606 Baltimore Avenue, Suite 106 Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE NE/S Winding Way, 1195' N of Silver Spring Road (8650 Winding Way) 11th Election District - 5th Councilmanic District Richard O. Huffman, Jr., et ux - Petitioners Case No. 89-7-SPHA

Dear Mr. Nowicki:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Zoning Variance have been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

( M Nestanows ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

Dennis F. Rasmussen

cc: Mr. & Mrs. Charles Loizeaux 8611 Winding Way Perry Hall, Maryland 21128

> Ms. Sharon Bohlen 8615 Winding Way Perry Hall, Maryland 21128

People's Counsel

File

Baltimore County Zening Commissioner Office of Planning & Zoning Towson, Maryland 21204 494-3353

J. Robert Haines

December 14, 1988



Baltimore County Board of Appeals County Office Building, Room 315 Towson, Maryland 21204

RE: Petition for Special Hearing & Variance NE/S Winding Way, 1195' N of Silver Spring Road (8650 Winding Way 11th Election District, 5th Councilmanic District RICHARD O. HUFFMAN, JR., ET UX - Petitioners Case No. 89-7-SPHA

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on November 29, 1988 by Michael P. Tanczyn, Attorney on behalf of Petitioners . All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

> Robert mances Zoning Commissioner

JRH:cer

Enclosures

cc: Mr. & Mrs. Richard O. Huffman 8650 Winding Way, Perry Hall, MJ. 21128

M chael P. Tanczyn, Esquire 606 Baltimore Avenue, Suite 106, Towson, Md. 21204

Pastor Johnnie Brewer, New Life Baptist Church 10816 Philadelphia Road, White Marsh, Md. 21162

Petition for Special Hearing & Variance NE/S Winding Way, 1195' N of Silver Spring Road (8650 Winding Way) 11th Election District - 5th Councilmanic District RICHARD O. HUFFMAN, JR., ET UX - Petitioners Case No. 89-7-SPHA

Petition for Special Hearing

Petition for Zoning Variance

Description of Property Certificate of Posting

Certificate of Publication

Violation Notice

Entry of Appearance of People's Counsel

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments

Petitioner's Exhibits: 1. Plat to accompany Petition for Special Hearing

List of figures for required parking

00

89-7-5PHA

Date of Posting 6/58/88

Protestant's Exhibits: 1. Copy of letter from Councilman Lauenstein

2. Copy of memo from Chief Behan

Zoning Commissioner's Order dated November 15, 1988 (Denied) Notice of Appeal received November 29, 1988 from Michael P. Tanczyn, attorney on behalf of the Petitioner

cc: Mr. & Mrs. Richard O. Huffman 8650 Winding Way, Perry Hall, Md. 21128

> Michael P. Tanczyn, Esquire 606 Baltimore Avenue, Suite 106, Towson, Md. 21204

Pastor Johnnie Brewer, New Life Baptist Church 10816 Philadelphia Road, White Marsh, Md. 21162

Chester J. Weaver, 9508 Gunview Road, Baltimore, Md. 21236

Barbara Lewis, 5011 Hilltop Acres Road, Perry Hall, Md. 21128

Mr. & Mrs. Charles Loizeaux 8611 Winding Way, Perry Hall, Md. 21128

Case No. 89-7-SPHA

December 14, 1988

File

Posted for: - Spacial Hearing

Number of Signs: 2

Mr. & Mrs. Charles Loizeaux

8611 Winding Way, Perry Hall, Md. 21128

People's Counsel of Baltimore County

Sharon Bohlen, 8615 Winding Way, Perry Hall, Md. 21128 People's Counsel, Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning Patrick Keller, Office of Planning & Zoning J. Robert Haines, Zoning Commissioner Ann M. Nastarowicz, Deputy Zoning Commissioner James E. Dyer, Zoning Supervisor Docket Clerk

Chester J. Weaver, 9508 Gunview Road, Baltimore, Md. 21236

Sharon Bohlen, 8615 Winding Way, Perry Hall, Md. 21128

Rm. 304, County Office Bldg., Towson, Md. 21204

Barbara Lewis, 5011 Hilltop Acres Road, Perry Hall, Md. 21128

CERTIFICATE OF POSTING

Location of property: NF/S Winding Way, 11951 N/Silvar Sinning R4
8650 Winding Way

Location of Signs AT and of road loading to preparty of Palitioner,

Posted by 12/1 Stealey Date of return: 6/29/25

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Richard O. Huff-roy Trystup

PETITION FOR SPECIAL HEARING . VAR ANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine when ther or not the Zoning Commissioner and or Deputy Zoning Commissioner should approve an amendment to the site plan and previous zoning cases # 82-289X and 87-329 SPR to permit a church use to share the nusery school/day care facilities. Also, to determine if there would be a conflict with the restrictions previously imposed, and if there would be a conflict, that the restrictions be amended accordingly. Also to permit a VARIANCE to S. 409.6.A.4. to permit 18 parking spaces (existing)

in lieu of the total requiren 55 spaces.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

under the penalties of perjury, that I we are the legal owner(s) of the property which is the subject of this Petition. Legal Owner(s): RICHARD O. HUFFMAN, JR. DATE 5/15 (Type or Print Name) Cutard O. Huffer Signature ELIZABETH S. HUFFMAN Type or Print Name) ligalith & Herthron 327-1770 2650 Winding Way Perry Hall, Md. 21128 City and State Name, address and phone number of legal owner, contract purchaser or representative to be contacted Johnnie W. Brewer, Pastor Name NEW LIFE EAPTIST CHURCH P.O. Box 54, White Marsh, Md. 21162

ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_\_day MAY 19-55, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the \_\_\_\_\_\_ day of \_\_\_\_\_ day of \_\_\_\_\_\_ 19\_58, at \_/C o'clock

I We do solemnly declare and affirm,

# 4 5

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER PETITION FOR VARIANCE NE/S Winding Way, 1195' N Silver: OF BALTIMORE COUNTY Spring Rd. (8650 Winding Way) llth District

RICHARD O. HUFFMAN, JR., et ux, : Case No. 89-7-SPHA **Petitioners** 

::::::: ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

> Phyllin Cole Freedman Phyllis Cole Friedman People's Counsel for Baltimore County

Peter Man Zimmerman Deputy People's Counsel Room 223, Court House Tewson, Maryland 21204 494-2188

I HEREBY CERTIFY that on this 13th day of June, 1988, a copy of the foregoing Entry of Appearance was mailed to Michael P. Tanczyn, Esquire, Suite 106, 606 Baltimore Ave., Towson, MD 21204, Attorney for Petitioners.

leter Max Zonaman

DESCRIPTION TO ACCOMPANY PETITION FOR SPECIAL HEARING FOR A CHURCH AS AN AUXILIARY USE IN A D R 5.5 ZONE 11th ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME on the northeast side of Winding Way, 40 feet wide, at a point distant 1,195 feet, more or less, measured on the west, north and northeast side of Winding Way Northwest from the centerline of Silver Spring Road; thence leaving said place of beginning and running the two following courses and distances, viz: (1) North 31 degrees 34 minutes 06 seconds East 309.66 feet, and thence (2) South 15 degrees 11 minutes 51 seconds East 589.05 feet to the northwest right of way line of the John F. Kennedy Memorial Highway; thence running and binding thereon the two following courses and distances, viz: (3) South 42 degrees 57 minutes 59 seconds West 220.03 feet, and thence (4) South 39 degrees 16 minutes 49 seconds West 166.91 feet; thence running the four following courses and distances, viz: (5) North 45 degrees 24 minutes 41 seconds West 175.30 feet, thence (6) South 87 degrees 12 minutes 19 seconds West 45.20 feet, thence (7) North 10 degrees 11 minutes 51 seconds West 302.79 feet, and thence (8) North 75 degrees 52 minutes 09 seconds East 227.48 feet to the aforesaid northeast side of Winding Way; thence running and binding thereon the two following courses and distances, viz: (9) North 15 degrees 11 minutes 51 seconds West 60.15 feet, and thence (10) northwesterly by a line curving to the left with radius of 110 feet for a distance of 77.12 feet (the arc of said curve being subtended by a chord bearing North 35 degrees 16 minutes 56 seconds West 75.55 feet), to the place of beginning.

Containing 4.74 acres of land, more or less.

Law Offices Michael P. Tanczyn, P.A. Suite 106, 606 Baltimore Avenue Towson, Maryland 21204 (301) 295-8823 (301) 296-8824

November 21, 1988

The second secon

Ann M. Nastarowicz Deputy Zoning Commissioner 111 West Chesapeake Avenue Towson, MD 21204

Re: Petition for Special Hearing & Variance NE/S Winding Way 1195' N of Silver Spring Road (8650 Winding Way) 11th Election District 5th Councilmanic District Case Number 89-7-SPHA

Dear Ms. Nastarowicz:

Please enter the Appeal by Richard O. Huffman, Jr. and Elizabeth S. Huffman of 8650 Winding Way, Perry Hall, Maryland, 21128, and Pastor Johnnie W. Brewer, New Life Baptist Church, P. O. Box 54, White Marsh, Maryland, 21162, from your Decision dated November 15, 1988.

Very truly yours,

e general de la companya de la comp	with year the transport		el P. Tanczyń	
BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT		No.		
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CERTIFICATE OF PUBLICATION

The Zoning Commissioner of Bal-timore County, by authority of the Zoning Act and Regulations of Balti-more County will hold a public department of the County of the Cou hearing on the property identified herein in Room 106 of the County THIS IS TO CERTIFY, that the annexed advertisement was Ofnce Building, located at 111 W Chesapeake Avenue in Towson, Maryland as follows: published in THE JEFFERSONIAN, a weekly newspaper printed Pentions for Special Hearing and Zoning Variance Case number: 89-7-SPHA NE 5 Winding Way, 1195' N Silver Spring Road (8650 Wind-

and published in Towson, Baltimore County, Md., once in each of \_\_\_\_\_successive weeks, the first publication appearing on \_\_\_\_\_, 19\_\_\_\_,

THE JEFFERSONIAN,

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VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

NOTICE OF HEARING

ing Way)
11th Election District

Pentioner(s) Richard O. Huttman, Jr.,

July 15, 1986 at 10:00 a m Special Hearing. An amendment to the site plan and previous zoning cases #82-269-X and #87-329-5PH

to permit a church use to share the

nursery school day care facilities

Also to determine if there would be conflict with the restrictions previ must imposed and if there would be a conflict that the restrictions be

amer ded accordingly. Variance to person, in parking spaces (existing in less of the total required 55 spaces to the event that thes Pentium in

stated a principle about that & murd within the thirty (3th day appeal period. The Zonere Comit to

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request for a stay of the requirer of hand because shown back request

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PUBLICATION

OF

CERTIFICATE

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CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

District 117-h Richard O. L'affman, et us Location of property: NF/S Winding Way 1195' N/S. War Spring Pol Location of Signe: Terris Wineding Way Coppers 5' Fr. roodway on pranty of letioner Posted by Date of return: 17/30/27 Number of Signs: \_\_\_/\_



COUNTY COUNCIL OF BALTIMORE COUNTY FIETH DISTRICT OFFICE

809 EASTERN BOULEVARD, ROOM 201 ESSEX, MARGLAND 21221

NORMAN W. LAUTHSTEIN

COUNCE MAN

COUNCIL OFFICE TOWSON 494-3196 DISTRICT OFFICE - ESSEX 391-6711

The

February 12, 1988

Mrs. Jame Loizeaux 3611 Winding Way Ferry Hall, Maryland 21128

Dear Mrs. Loizeaux:

Attached please find the response from Chief Behan regarding your complaint of speeding cars on Winding Way.

Hopefully the positive steps taken by Traffic Engineering and the Police Department will be helpful.

If I can of further assistance, please feet free to call my office.

Councilman, Fifth District

BWL: mc Enclosure

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494-3353 J. Robert Haines

Dennis F. Rasmussen County Executive

Fir. & Firs. Richard C. Huffman, Jr. 8650 Winding Wey Perry Hell, Faryland 21118

Patitions for Special Hearing and Zoning Variance CASE NUTEERS 89-7-5PHA NE/S Winding Way, 1195' N Silver Spring Road (8650 Winding Way) 11th Election District - 5th Councilmenic Petitioner(s): Richard C. Huffman, Jr., et ux HEARING SCHEDULEDS FRIDAY, JULY 15, 1988 at 10:00 a.m.

Dear Fire & Fire. Huffmens

Please be advised that  $\sqrt{1/27.27}$  is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. the above-referenced property. All fees must be pard piror to the hearth Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring riease make your cneck payable to baltimore county, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

No. 52941 and post set(s), there

1 1 1 CARTE 11 1 1 1 2 VALIDATION OR SIGNATURE OF CASHIER

Baltimore County, Maryland Executive Office Courthouse Mezzanine Towson, Maryland 21204 491-2450 494-3723 (TTY)

39.7-7/11

Dennis F. Rasmussen

Mrs. Jane H. Loizeaux 8611 Winding Way Perry Hall, Maryland 21128

RE: White Marsh Day Care Center New Life Baptist Church NE/S Winding Way, 1195' N of Silver Spring Road (8650 Winding Way) 11th Election District; 5th Councilmanic District

Dear Mrs. Loizeaux:

I am in receipt of your correspondence dated May 18, 1988 on the above-referenced matter and have discussed the issues raised in your letter with J. Robert Haines, Baltimore County Zoning Commissioner.

June 17, 1988

Mr. Haines has indicated to me that the New Life Baptist Church, which has been operating from the White Marsh Day Care Center located on the subject property, has filed a Petition for Special Hearing and a Petition for Zoning Variance requesting permission to continue to operate from this location. A public hearing on the subject matter is scheduled for Friday, July 15, 1988 at 10:00 AM. You are welcome to attend this hearing and will be given an opportunity to voice your concerns. Enclosed for your reference is a copy of the Notice of Hearing.

Thank you for your interest in this matter and for sharing your concerns with me.

Very truly yours,

DENNIS F. RASMUSSEN County Executive

Letter prepared by: J. Robert Haines cc: J. Robert Haines Zoning Commissioner

bcc: Robyn Clark, Zoning Inspector

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494-3333

J. Robert Haines Zonine Commissioner

Ju ne 1, 1988

## NOTICE OF HEARING



The Zoning Commissioner of Baltimore County, by authority of the Zolitz Act and Regulations of Baltimore County will hold a public hearing on the treperty identified herein in Room 106 of the County Office Puilding, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petitions for Special Hearing and Zoning Variance CASE NUMBER: 89-7-SPHA NE/S Winding Way, 1195 N Silver Spring Road (8650 Winding May) 11th Election District - 5th Councilmanic Patitioner(s): Richard G. Huffman, Jr., et ux HEARING SCHEDULED: FRIDAY, JULY 15, 1988 at 10:00 a.m.

SPECIAL HEARING: An amendment to the site plan and previous zoning cases #82-289-X and #87-329-SPH to permit a church use to share the nursery school/day care facilities. Also to determine if there would be a conflict with the restrictions previously imposed, and if there would be a conflict, that the restrictions be amended accordingly. Variance to permit 18 parking spaces (existing) in lieu of the total required 55

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES Zoning Commissioner of Baltimore County

cc: Mr. & Mrs. Richard O. Huffman, Jr. Michael P. Tanczyn, Esq. Rev. Johnnie W. Brewer Ms. Jane Loizeaux

## BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

The Honorable Dorman Lauenstein Councilman, District 5 \_\_\_\_\_ Chief, Cornelius J. Pehan

Chief of Police

FD 88-0019

SUBJECT An investigation was conducted by Officer Patrick Rooney #2377 of the Central Traffic Division in reference to the complaint made by Mrs. Jane Loizeaux regarding speeding problems on Winding Way.

February 10, 1988

Officer Rooney states that Mr. John Zuk of the Baltimore County Department of Traffic Engineering was contacted. Mr. Zuk is aware of Mrs. Loizeaux's complaint and has already surveyed the area to have the speed limit posted. The Department of Traffic Engineering is doing to have Winding Way posted with a "Dead-End" road sign, which should control some of the traffic that may be wandering through. More parking regulatory signs are going to be posted along Silver Spring Poad in the area of Winding Way in order to maintain letter visibility at this intersection. Mr. Zuk notified the White Marsh Child Care Center in reference to the posting so that proper notification can be given to their clients. Mr. Zuk informed Officer Pooney that a STOP sign was not needed or appropriate in this case because of there being no traffic East of the intersection. Mrs. Loizeaux was advised that Paltimore County and the State of Maryland do not recognize any posting of a "roadway" below 25 mph as recommended by the Department of Transportation.

Officer Pooney conducted a speed survey in the 8600 Block of Winding Way. The survey was conducted on January 19, 1988 between 7:20 a.m. and 8:50 a.m. Twenty-one vehicles were below the 20 mph minimum readable speed of the Kustom KR-11 Stat-Pak. Twenty-one vehicles exceeded 20 mph, four vehicles exceeded 22 mph, six vehicles exceeded 25 mph, one vehicle exceeded 26 mph and one vehicle exceeded 30 mph.

Mrs. Loizeaux stated to Officer Rooney that a drop in the speed of the vehicles has been noticed since the management of the Child Care Center was advised of the speed problem.

We will continue to monitor this area and take appropriate enforcement action. If you have any further questions regarding this investigation, you may contact Officer Rooney at 494-2396.

Sincerely 77779 The (1) Thon Cornelius J. Behan Chief of Police .

CAR: sand

PETITION FOR SPECIAL HEARING FOR USE OF DAY CARE CENTER AND NURSERY SCHOOL AS A CHURCH AS AN AUXILLARY USE \* \* \* \* \* \* \* \* \* \* \* \* \*

BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY Case No. 89-7

PARKING REQUIRED

Section 409.6.A.1. - Residential 2 per dwelling unit 1 family detached

Section 409.6.A.4. - Church Group Child Care

Nursery School

1 per 4 seats 1 per employee on largest shift but in no case less than 2

Section 409.6.B.3. - Shared Parking Adjustment WEEKEND

WEEKDAY

NIGHTTIME DAYTIME EVENING DAYTIME (MIDNIGHT-(6 PM-(6 AM-(6 PM-(6 AM-6 AM) 6 PM) MIDNIGHT) MIDNIGHT) 6 PM) Residential (100%)0 \*16 Present \*16 Present \*16 Present 40 Maximum 40 Maximum 40 Maximum Church (100%) Nursery School 18-42

\* New Life Baptist Church present congregation numbers 55 9:30 AM Sunday School Worship Hours: Sunday 10:30 AM Service 6:30 PM Bible Study & Service Wednesday 7:30 PM - 8:30 PM Service

I certify that the above figures are accurate for the Church.

I certify that the above figures are accurate for the residence and nursery school.

PASTOR JOHNNIE BREWER

INTER-OFFICE CORRESPONDENCE

James Dyer Zoning Supervisor James Thompson FROM Zoning Enforcement Coordinator

Item No.: 382 (if known) SUBJECT\_Petitioner:

VIOLATION CASE # C-88.824 LOCATION OF VIOLATION 8650 Telender Iles DEFENDANT The Proposition of ADDRESS COMME

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

Jane Joycoux 2011 Wending the

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the

appropriate action may be taken relative to the violation case.

Michael P. Tanczyn, P.A. Suite 106, 606 Baltimore Avenue Towson, Maryland 21204 (301) 296-8823 (301) 296-8824

November 21, 1988

Ann M. Nastarowicz Deputy Zoning Commissioner 111 West Chesapeake Avenue Towson, MD 21204

Re: Petition for Special Hearing & Variance NE/S Winding Way 1195' N of Silver Spring Road (8650 Winding Way) 11th Election District 5th Councilmanic District Case Number 89-7-SPHA

Dear Ms. Nastarowicz:

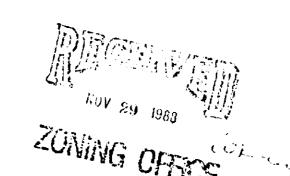
Please enter the Appeal by Richard O. Huffman, Jr. and Elizabeth S. Huffman of 8650 Winding Way, Perry Hall, Maryland, 21128, and Pastor Johnnie W. Brewer, New Life Baptist Church, P. O. Box 54, White Marsh, Maryland, 21162, from your Decision dated November 15, 1988.

Very truly yours,

The start Michael P. Tanczyn

MPT/ed

cc: Baltimore County People's Counsel Mr. and Mrs. Richard O. Huffman, Jr. Pastor Johnnie W. Brewer



1/27/89 -Following notified of hearing set for Thursday, May 18, 1989 at 10 a.m.

M. Tanczyn, Esq. M/M R. Huffman, Jr. Pastor J. Brewer C. Weaver B. Lewis M/M C. Loizeaux Ms. S Bohlen Fields Keller Hiaines Nastarowicz Docker Clk Jablon

5/17/89 -Letter from Counsel for Appellants/Petitioners requesting PP due to illness (Tanczyn representing Huffman; is ill and under doctor's care).

5/18/89 - POSTPONED on the record in open hearing and REASSIGNED to Tuesday, August 15, 1989 at 10:00 a.m. Above were notified by Notice of PP and reassignment to 8/15/89.

Michael P. Tanczyn, P.A. Suite 106, 606 Baltimore Avenue Towson, Maryland 21204 (301) 296-8823 (301) 296-8824 FAX (301) 296-8827

May 17, 1989

Baltimore County Board of Appeals 111 West Chesapeake Avenue, Room 314 Towson, MD 21204

Re Richard O. Huffman, Jr., et ux Case Number 89-7-SPHA

Gentlemen

The purpose of this letter is to request a postponement of the above case, presently scheduled for hearing on Thursday, May 18, 1989 at 10 a.m. because I have been taken ill and will be unable to appear on behalf of the Appellants on the scheduled date and time. I have a 104° fever and have been prescribed penicillin for a strep infection and my doctor has advised that, until the penicillin takes hold, I should not go out.

If this postponement is granted, please advise my office by telephone as soon as possible and we will attempt to contact the Protestants by telephone, if you wish, to advise them of the

Your anticipated cooperation with this request is appreciated.

> Very truly yours, Michael P. Tanczyn

MPT/ed

cc Mr. and Mrs. Richard O. Huffman, Jr. Pastor Johnnie Brewer Baltimore County People's Counsel

Dictated but not read

County Board of Appeals of Baltimore County all man

COUNTY OFFICE BUILDING 111 W. CHESAPEAKE AVENUE TOWSON, MARYLAND 21204

(301) 494:3180x 857=3150 HEARING ROOM -January 27, 1989 Room 301, County Office Building NOTICE OF ASSIGNMENT

> NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 89-7-SPHA

PICHARD C. HUFFMAN, JR., ET UX NE/side Winding Way, 1195! North of Silver Spring road (8850 Winding Way)

PP requestion -

11th Election District 5th Councilmanic District

SPH -tp permit church use to share day care facility extstyle extVAR -to permit 18 parking spaces in lieu of required 55 spaces

 $^{\prime}$  11/15/88 -3.3.'s Order that the Petition for Opecial Hearing and the Petition for Variance are

THURSDAY, MAY 18, 1989 at 10:00 a.m.

cc: Michael P. Tańczyn, Esquire Counsel for Appellants /Fetitioners

Mr. & Mrs. Richard O. Huffman, Jr. Appellants /Petitioners

Pastor Johnnie Brewer (to be contented Mr. Chester J. Weaver) the Chevanian Agrical Ms. Barbara Lewis

Mr. & Mrs. Charles Loizeaux - Cacical 3/14 ( 10:20 cm.

Ms. Sharon Bohlen - ungendiceded municipal People's Counsel for Balto. County

P. David Fields

Pat Keller J. Robert Haines Ann M. Nastarowicz James E. Dyer

Docket Clerk -Zoning Arnold Jablon, County Attorney

Kathleen C. Weidenhammer Administrative Secretary

HEARING ROOM - Room 301

County Office Euilding

County Board . f Appeals of Baltimore County

COUNTY OFFICE BUILDING 111 W. CHESAPEAKE AVENUE TOWSON, MARYLAND 21204 (301) 494-3180

May 18, 1989 NOTICE OF POSTPONEMENT AND REASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 80-7-SPHA

RICHARD C. HUFFMAN, JR., ET UX NE/s Winding Way, 1195' N of Silver spring Rd (8650 Winding Way) 11th Election District

5th Councilmanic District SPH -to permit church use to share day care facility (amend. to previously approved site plan) VAR -to permit 18 parking spaces in lieu of 55 11/15/88 -Z.C.'s Order that Petition for Special

Hearing and Petition for Variance are DENIED. which had been scheduled for hearing on May 18, 1989 has been POSTFOMED on the record at the request of Counsel for Appellant /Petitioner and has been

REASSIGNED FOR:

TUESDAY, AUGUST 15, 1989 at 10:00 a.m.

cc: Michael P. Tanczyn, Esquire Counsel for Appellants /Fetitioners Mr. & Mrs. Richard O. Huffman Appellants /Petitioners Pastor Johnnie Brewer

Ms. Barbara Lewis Mr. & Mrs. Charles Loizeaux Ms. Sharon Bohlen

Mr. Chester J. Weaver

Docket Clerk -Zoning

People's Counsel for Baltimore County P. David Fields Pat Keller J. Robert Haines Ann M. Lastarowicz James E. Dyer

Arrold Jablon, County Attorney

Kathleen C. Weidenhammer Administrative Secretary

IN RE: PETITION SPECIAL HEARING NE/S of Winding Way, 1,195' from the centerline cf Silver \* ZONING COMMISSIONER Spring Road (8650 Winding Way) - 11th Election District \*

OF BALTIMORE COUNTY Case No. 87-329-SPH Richard O. Huffman, Jr., et ux,

Petitioners

hibit 1.

\* \* \* \* \* \* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request an amendment to the site plan approved in Case No. 82-289-X to allow an addition to the existing building and to amend Restriction 1 of the Order in that case to permit 110 students in lieu of the permitted 60 students, as more particularly described on Petitioners' Ex-

The Petitioners appeared and testified and were represented by Counsel. John Schneider, a registered engineer, and Catherine Drayton, Baltimore County Department of Health, appeared and testified on behalf of the Petitioners. There were no Protestants.

Testimony indicated that the subject 4.74-acre property, zoned D.R.5.5 and located on Winding Way adjacent to I-95, was granted a special exception for a nursery school and/or day care center with a maximum of 60 students in Case No. 82-289-X. The Petitioners wish to expand the facility to accommodate 110 students and have introduced an amended site plan, Petitioners' Exhibit 1, showing a 70' x 40' addition to the existing day care center building. The Petitioners presented a list of over 100 people waiting to enroll. There is no question as to the need for day care. There is also no question that the licensing authorities of Baltimore County, by Mrs. Drayton, believe that the Petitioners operate an excellent facility. It is also clear

that the property itself is large enough to handle the increase in students and that the traffic generated by the additional use would not be a problem on the feeder streets. See correspondence from the Department of Traffic Engineering to the Zoning Commissioner, dated January 8, 1987, indicating that it has "...no comment..."

The Petitioners also wish to extend the existing driveway an additional 12 feet in order to create a traffic loop on the site, which would parallel the sewer line placed through the buffer area required by Case No. 82-289-X. Inasmuch as the special exception granted therein falls within Section 1B01.1.C.11, Baltimore County Zoning Regulations (BCZR), which exempts any zoning petition prepared and filed prior to June 30, 1982 from the residential transition area (RTA) requirements, the placement of the additional 12 feet of driveway would not violate any zoning requirements.

The Petitioners seek relief pursuant to Section 500.7, BCZR.

After due consideration of the evidence and testimony presented, it is found that the amendments requested would not adversely affect the health, safety, and general welfare of the community.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested relief should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this /3 day of February, 1987, that the amendment to the site plan approved in Case No. 82-289-X to allow an addition to the existing building and to amend Restriction 1 of the Order in that case to permit 110 students in lieu of the permitted 60 students be approved and, as such, the Petition for Special Hearing is hereby GRANTED, from and after the date of this Order, subject to the following:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

Baltimore County

cc: Michael P. Tanczyn, Esquire

People's Counsel

- 2 -

- 3 -

**建设部的** 



## County Moard of Appeals of Baltimore County COUNTY OFFICE BUILDING, ROOM 315 111 W. CHESAPEAKE AVENUE 100 TOWSON, MARYLAND 21204

(301) 887-3180

September 7, 1989

Michael P. Tanczyn, Esquire 606 Baltimore Avenue, Suite 106 Towson, Maryland 21204

> Re: Case No. 89-7-SPHA Richard O. Huffman, Jr., et ux

Dear Mr. Tanczyn:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals in the subject matter.

Legal Secretary

Enclosure

cc: Mr. and Mrs. Richard O. Huffman, Jr.

Pastor Johnnie Brewer Mr. Chester J. Weaver

Ms. Barbara Lewis Mr. and Mrs. Charles Loizeaux

Ms. Sharon Bohlen Feople's Counsel for Baltimore County P. David Fields

Pat Keller J. Robert Haines

Ann M. Nastarowicz James E. Dyer

W. Carl Richards, Jr.

Docket Clerk - Zoning Arnold Jablon, County Attorney

ZONING COMMISSIONER

4th day of \_\_\_\_\_, 1981.

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this

PETITIONER(S) SIGN-IN SHEET

Su Hilles Hers Pd

Person Hall Mil 2128

16916 Phik, Rd White Mary 21162

8450 Medice Way 21/28

9508 Greened Li Batto Mo. 9 mile

SESTER I LIFERER

noter Volynne Broken

naheth Hubban

Advisory Committee

PLEASE PRINT CLEARLY

PROTESTANT (S) SIGN-IN SHEET

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 25, 1:59

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Tueson, Maryland 21204

MEMBERS

Bureau of

Michael P. Tanczyn, Esquire Suite 106 606 Ealtimore Avenue

> RE: Item No. 382 - Case No. 89-7-289 Retitioner: Richard : Huffman, dr. Petition for Special Hearing and Zoning Mariance

Department of Traffic Engineering State Roads Commissio Bureau of Fire Prevention Realth Department Project Planning Bailding Department Board of Education

Zoning Administration

Industrial Detelopment

Dear Mr. Tanczyn:

Towson, Maryland 21284

The Zoning Plans Advisory Committee has reviewed the plant submitted with the above referenced potition. the fill wing comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Flanning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested A ning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any summer! that is not informative will be placed in the hearing like. This petition was accepted for filing on the date of the endider filing certificate and a hearing schediled accordingly.

Very truly yours,

JAMES E. LYSS Chairman

Zoning rians Advis by Campites

JED:dt Enclosures

cc: John L. Schneider, P.F. 100 N. Rolling Road Catonsville, Maryland 21228



Maryland Department of Transportation State Highway Administration

Richard H. Trainor Secretary Hal Kassoff Administrator

May 4, 1988

Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204 Att: James Dyer

Re: Baltimore County Day Care Center and Nursery Zoning Meeting 5/3/88 N/E/S Winding Way 1195' north of Silver Spring Road Item #382

Dear Mr. Haines:

After reviewing the submittal for the Special Hearing to approve an amendment to the site plan and to permit a church to share the nursery school/day care facilities, the State Highway Administration-Bureau of Engineering Access Permits finds the concept site plan generally acceptable.

If you have any questions, contact Larry Brocato of this office (333-1350).

Very truly yours,

Creston J. Mills, Jr.
Chief-Bureau of Engineering Access Permits

LP/es

cc: Mr. & Mrs. Richard Huffman J. Oale



My telephone number is (301) 333-1350 Teletypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toil Free 707 North Caivert St., Baltimore, Maryland 21203-0717

Baltimore County Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 494-3554

May 23, 1988



Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 362, 381, 382, 383, 384, 385, 386 and 389.

Stephen E. Weber, P.E.

Assistant Traffic Engineer

SEW/RF/pml-b

WECTONES. MAY 26 1988

Baltimore County Fire Department Towson, Maryland 21204-2586 494-4500

Paul H. Reincke

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204



Re: Property Owner: Richard O. Huffman, Jr., et ux Dennis F. Rasmussen Location: NE/S Winding Way, 1195' N. Silver Spring Road

May 18, 1988

Item No.: 382

Zoning Agenda: Meeting of 5/3/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site. ( ) 3. The vehicle dead end condition shown at \_\_\_\_\_

EXCEEDS the maximum allowed by the Fire Department. ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

( X ) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

REVIEWER: At Long Sold Approved:

Planning Group

Special Inspection Division

Noted and

Fore Prevention Bureau

/jl

BECOUNTY, MARY

INTER-OFFICE CORRESPONDENCE

Date\_\_\_\_June 8, 1988

TO J. Robert Haines
Zoning Commissioner

SUBJECT Zoning Petition #89-7-SpHA

FROM P. David Fields, Director
Office of Planning and Zoning

This office is concerned that an intensification of the use of this property could generate inappropriate traffic volumes through the adjacent residential area. Although both day care centers and churches are proper uses in residential areas, they are usually located along local or major collector

Office of Planning and Coning

cc: Shirley Hess, People's Counsel J. G. Hoswell Zoning File

cc: Michael P. Tanczyn, Esquire

CPS-008

